

III. REMARKS

1. Claim 8 is amended to correct the noted informality. Claims 23-24 are new.

2. Applicant appreciates the indication of allowable subject matter in claims 19 and 20. However, for the reasons stated herein, Applicant believes that the claims in their present state should be allowable.

3. Claims 2, 4, 6, 9-10 and 12-16 are not unpatentable over Rager et al. ("Rager") in view of Grider et al. "Grider") under 35 U.S.C. §103(a).

The combination of Rager and Grider does not disclose or suggest each feature of Applicant's invention as recited in the claims. First, Rager and Grider do not disclose or suggest a postal security device in a secure housing. Rager deals with loading encryption codes and keys. Grider is directed to a nonvolatile microcontroller with improved security against tampering by wiping its encryption registers and destroying all data in the volatile memory. Grider does not disclose or suggest a postal security device as recited by Applicant in claims 2, 4, 9 or 12. There is no disclosure whatsoever in either reference related to a postal security device.

Also, the combination of Rager and Grider also does not disclose or suggest means for generating print data for printing of postage indicia as recited in claim 2.

Rager and Grider also do not disclose or suggest a postal security device having improved battery power consumption during power off periods as recited in claim 9 or a method of improving back-up battery power consumption in a postal security device as

recited in claim 12. Since at least these features are not disclosed or suggested by Rager and Grider, claims 2, 9 and 12 cannot be unpatentable under 35 U.S.C. §103(a).

With regard to claim 4, the combination of Rager and Grider does not disclose or suggest a postal security device comprising a secure housing, and within the secure housing a first nonvolatile memory device not having a backup battery power source and adapted to store an encrypted body of data when power is applied to the postal security device and when power is not applied to the postal security device, a second nonvolatile memory device having a backup battery power source and having a storage capacity only large enough to store an encryption key, an encryption engine adapted to encrypt a body of data with reference to the encryption key in order to form the encrypted data stored in the first nonvolatile memory, a third memory device not having a backup battery and adapted to temporarily store a body of decrypted data while the postal security device is powered on, the body of decrypted data being transferred to the third memory device from the encryption engine when the postal security device is initially powered on, the encryption engine decrypting the decrypted data stored in the second memory device with respect to the encryption key when the postal security device is powered on, and wherein when the postal security device is powered on, and wherein when the postal security device powers down, the body of decrypted data temporarily stored in the third memory device is lost and battery power required to maintain the postal security device is minimized. None of these features as recited in Claim 4, directed to a postal security device, are disclosed or suggested by Rager in view of Grider. Thus, the combination of Rager and Grider does not render claim 4 unpatentable under 35 U.S.C.

§103(a). Claims 5-8 depend from claim 4 and should be allowable at least in view of the dependencies.

Rager in view of Grider also does not disclose or suggest a method for use with a postal security device comprising a secure housing as recited in claim 2. The method generally includes, within the secure housing a body of data having a size, said postal security device also having within the secure housing means for generating print data for printing of postage indicia. Rager and Grider do not disclose or suggest the generation of print data for printing postage indicia.

As recited in claim 2, the generating of the print data relies in part on the body of data, said postal security device also having within the secure housing a first memory sized to accommodate the body of data, said first memory of a type not requiring electrical power to maintain the contents thereof, the postal security device also having within the secure housing a second memory not large enough to accommodate the body of data, said second memory of a type that requires electric power to maintain its contents, said postal security device also comprising a battery powering the second memory and a tamper switch mechanically coupled with the secure housing so that upon tampering with the secure housing the second memory is disconnected from the battery, said postal security device further comprising an encryption key stored within said second memory, said postal security device further comprising a cryptographic engine. Since Rager and Grider do not disclose or suggest these features for generating print data for the printing of postage indicia as recited in claim 2, claim 2 is not obvious under 35 U.S.C. §103(a).

In addition to the lack of the foregoing features of Applicant's invention being disclosed or suggested by the combination of references, Rager in view of Grider also does not disclose or suggest storing the encryption key within the second memory, encrypting the body of data by the cryptographic engine with respect to the encryption key, storing the encrypted body of data in the first memory, and upon power-up of the postal security device decrypting the encrypted body of data with the cryptographic engine with respect to the encryption key, temporarily storing the decrypted body of data in a third memory, wherein upon power down of the postal security device the decrypted body of data is lost, and in the event of tampering with the postal security device, removing power from the second memory and the third memory resulting in a loss of the encryption key and the decrypted body of data. All of these features are recited in claim 2 are not found in the combination of Rager and Grider. Therefore, a *prima facie* case of obviousness under 35 U.S.C. §103(a) cannot be established.

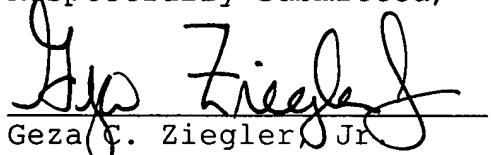
Claims 9 and 12 are also directed to a postal security device, and recite additional features that are not disclosed or suggested by the combination of Rager and Grider. Thus, these claims, and the claims that depend therefrom, are not obvious over Rager and Grider and should also be allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.



The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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9 May 2005

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